



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Wideman, et al.

Serial No: 10/792,288

Filed: March 3, 2004

For: Tie-layer Materials, Articles and
Methods for Making and Using Same

Art Unit: 1773

Attorney Document No. FPY-089.01

RESPONSE TO NOTICE TO FILE MISSING PARTSOIPE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:


Enclosed are the following: (1) copy of the Notice to File Missing Parts; (2) Executed Declarations for (a) Thomas W. Wideman and (b) Michael Feechan; (3) Executed Power of Attorney and Correspondence Address Indication Form for (a) Thomas W. Wideman and (b) Michael Feechan; and (3) Petition for Extension of Time; and (4) Fee Transmittal Form (in duplicate). Also enclosed is Certificate of Fax Transmission (SB-97).

Applicants' attorney hereby authorizes the Office to charge any additional fees which may be required to Deposit Account No. 06-1448, Reference: FPY-089.01.

Respectfully submitted,

Date: August 12, 2004

Customer No: 25181
Patent Group
Foley, Hoag, LLP
WORLD TRADE CENTER WEST
155 Seaport Boulevard
Boston, MA 02210-2600
Telephone: (617) 832-1241



Kevin A. Oliver
Reg. No. 42,049



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/792,288	03/03/2004	Thomas W. Wideman	FPY-089.01

CONFIRMATION NO. 3160

25181
FOLEY HOAG, LLP
PATENT GROUP, WORLD TRADE CENTER WEST
155 SEAPORT BLVD
BOSTON, MA 02110

FORMALITIES LETTER



OC000000012763550

Missing Parts
DUE: 7/25/04
FINAL: 12/25/04

Date Mailed: 05/25/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The signature of the following inventor(s) is missing from the oath or declaration:
Peter A. Quigley, Michael Feechan
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$230 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1130 for a Large Entity

08/13/2004 CNGUYEN 00000044 061448 10792288
01 FC:1001 770.00 DA
02 FC:1051 130.00 DA
03 FC:1202 144.00 DA
04 FC:1201 86.00 DA

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

MAY 27 2004

PATENT & TRADEMARK OFFICE
BOSTON

- Total additional claim fee(s) for this application is **\$230**

- **\$86** for 1 independent claims over 3.
- **\$144** for 8 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

B-H
Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY



**FOLEY
HOAG LLP**
ATTORNEYS AT LAW

Fax

Date: August 12, 2004

To: Office of Initial Patent
Examination

Fax #: 703-746-4080

Confirm#:

Client Matter#: 22823-8901

From: Kevin A. Oliver

Sender's Number: 1241

User #: 6674

Total Pages Sent (Including Cover Sheet):

20

Office: Boston

Message

Re: U.S. Application No. 10/792,288

Filed: March 3, 2004

Title: Tie-layer Materials, Articles and Methods for Making and Using Same
Attorney Docket No. FPY-089.01

Dear Sir/Madam:

Please find enclosed, subject to a facsimile of transmission dated August 12, 2004 to the above FAX number, the following:

- 1) Petition to Amend Inventorship Pursuant to 37 C.F.R. § 1.48 (2 pages);
- 2) Request to Correct Inventorship (1 page);
- 3) Declaration of Thomas W. Wideman; Declaration of Michael Feechan and Declaration of Peter A. Quigley (3 pages);
- 4) Response to Notice to File Missing Parts (1 page);
- 5) (Copy of) Notice to File Missing Parts of Nonprovisional Application (2 pages);
- 6) Executed Declaration (37 CFR 1.63) (2 pages);
- 7) Two Executed Power of Attorney and Correspondence Address Indication Forms (2 pages);
- 8) Petition for Extension of Time (1 page);
- 9) Fee Transmittal for FY 2004 (in duplicate) (2 pages);
- 10) Consent of Assignee, Fiberspar Corporation (1 page); and

IMPORTANT - PLEASE READ

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

IF THERE ARE ANY PROBLEMS WITH THIS TRANSMISSION PLEASE TELEPHONE THE SENDER.

Seaport World Trade Center West / 155 Seaport Blvd. / Boston, MA 02210-2600 / TEL: 617.832.1000 / FAX: 617.832.7000
WASHINGTON DC www.foleyhoag.com



11) Certificate of Transmission under 37 CFR 1.8 (1 page).

As indicated in the enclosed Petition to Amend Inventorship Pursuant to 37 C.F.R. § 1.48 and related documents, the inventorship should be Thomas W. Wideman and Michael Feechan. On March 3, 2004, when the application was filed, an error was made to include Peter A. Quigley and this error occurred without any deceptive intention.

Kevin A. Oliver
Reg. No. 42,049



PTO/SB/97 (08-03)

Approved for use through 07/31/2006. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile
transmitted to the United States Patent and Trademark Office

on August 12, 2004.

Date

Signature

Teresa Barbuto

Typed or printed name of person signing Certificate

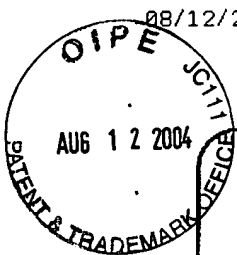
Note: Each paper must have its own certificate of transmission, or this
certificate must identify each submitted paper.

Petition to Amend Inventorship Pursuant to 37 C.F.R. §

1.48 (2 pages); Request to Correct Inventorship (1 page); Statements from
both inventors, as well as person deleted as an inventor (3 pages); Response
to Notice to File Missing Parts (1 page); (copy of) Notice to File Missing Parts of
Nonprovisional Application (2 pages); Executed Declaration (37 CFR 1.63) (2
pages); Power of Attorney and Correspondence Address Indication Form (2
pages); Petition for Extension of Time (1 page); Fee Transmittal for FY 2004 (in
duplicate) (2 pages); Consent of Assignee, Fiberspar Corporation (1 page); and
a FAX transmittal cover sheet (1 page).

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Under the Paperwork Reduction Act of 1986, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
PTO/SW/17 (10-03)

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1370

Complete if Known

Application Number	10/792,288
Filing Date	March 3, 2004
First Named Inventor	Wideman et al.
Examiner Name	Not yet assigned
Art Unit	1773
Attorney Docket No.	FPY-089.01

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number

06-1443, Reference: FPY-089.01

Deposit Account Name

Foley Hoag LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	770
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	180	2005	90	Provisional filing fee	

SUBTOTAL (1)

(\$) 770

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

			Extra Claims		Fee from below		Fee Paid
Total Claims	28	-20	=	8	X	18	= 144
Independent Claims	4	-3	=	1	X	86	= 86
Multiple Dependent					X		= 0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$) 250

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	130
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	820*	1804	820*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	110
1252	420	2252	210	Extension for reply within second month	
1253	850	2253	425	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or release)	
1502	480	2502	240	Design issue fee	
1503	840	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130
1807	50	1807	50	Processing fee under 37 CFR 1.17 (a)	
1808	180	1808	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2301	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$) 370

SUBMITTED BY

Name (Print/Type)

Kevin A. Oliver

Signature

[Signature]

Registration No. (Attorney/Agent)

42,049

Telephone

(617) 832-1241

Date

August 12, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.